

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MARYLAND**

**UNITED STATES**

**v.**

**ANTWAUN JOHNSON**

**Defendant**

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**Case No. PX-18-0584**

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**CONSENT MOTION TO REVOKE RELEASE ORDER**

The Defendant, Antwaun Johnson, by and through his attorneys, James Wyda, Federal Public Defender for the District of Maryland, and Andrew R. Szekely, Assistant Federal Public Defender, hereby moves the Court to revoke its July 22, 2019, Release Order and reinstate the November 21, 2018, Order of Detention, and in support thereof states the following:

1. On November 21, 2018, Magistrate Judge Timothy Sullivan issued an Order of Detention. ECF No. 9. In that Order, the Court found that the government proved, by clear and convincing evidence, that “no condition or combination of conditions of release will reasonable assure the safety of any other person and the community.” *Id.*, see 18 U.S.C. § 3142(g). During the hearing, the Court noted it was a close call and invited Mr. Johnson to file a motion for reconsideration.
2. On January 7, 2019, Mr. Johnson again appeared before Judge Sullivan for a detention hearing. At that time, the Court and the parties learned that the Maryland Division of Parole and Probation had requested a warrant for Mr. Johnson alleging a violation of probation. Mr. Johnson did not at that time wish to enter state custody, so he withdrew his hearing request.

3. On June 10, 2019, Mr. Johnson appeared before United States District Judge Paula Xinis and entered pleas of guilty to the sole count pending against him. Sentencing is scheduled for September 27, 2019.
4. On July 22, 2019, the Court entered a Release Order. ECF No. 36. Prince George's County Sheriffs took Mr. Johnson into custody and he remains incarcerated at the Prince George's County Detention Center pending a September 6, 2019, hearing on his Violation of Supervised release in state court.
5. In the event that the state matter is resolved with no additional incarceration, there is nothing in place to ensure that Mr. Johnson returns to federal custody pending sentencing in this case.
6. Mr. Johnson therefore asks that the Court revoke its July 22, 2019, release order and reinstate the November 21, 2018, Order of Detention.
7. As Mr. Johnson has pled guilty and is pending sentencing, authority over release or detention rests with the District Court. 18 U.S.C. § 3141(b).
8. Assistant United States Attorney Gregory Bernstein consents to revocation of the release order and reimposition of the detention order.

Wherefore, Mr. Johnson respectfully requests that this Court order him detained pending sentencing.

Respectfully submitted,  
James Wyda  
Federal Public Defender  
for the District of Maryland

\_\_\_\_/s/\_\_\_\_\_  
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ORDER

Upon consideration of the Defendant's Consent Motion to Revoke Release Order, it is  
this \_\_\_\_ day of September, 2019, hereby:

**ORDERED**, that the motion is **GRANTED**; and it is further

**ORDERED**, that the July 22, 2019, Release Order, ECF No. 36, is revoked; and it is  
further

**ORDERED**, that the November 21, 2019, Order of Detention, ECF No. 9, is reinstated  
for the reasons stated in that order and with the consent of Mr. Johnson; and it is further

**ORDERED**, that a copy of this order be transmitted to the United States Marshals  
Service in order to lodge a detainer against Mr. Johnson at the Prince George's County  
Detention Center.

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Paula Xinis  
United States District Judge